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<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 112300-1629	
In Re Application Of: <b>Anthony J. Baerlocher</b>					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/660,809	September 11, 2003	Unknown	29159	3765	7061
Title: <b>GAMING DEVICE HAVING SELECTION PICKS AND SELECTION OUTCOMES DETERMINED BASED ON A WAGER</b>					
<p>Address to: <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b></p> <p><b>37 CFR 1.97(b)</b></p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p style="text-align: center;"><b>37 CFR 1.97(c)</b></p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center;"><b>OR</b></p> <p style="margin-left: 40px;"><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>					

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(e))

Docket No.  
112300-1629

In Re Application: Anthony J. Baerlocher

NOV 01 2004

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/660,809	September 11, 2003	Unknown	29159	3765	7061

Title: **GAMING DEVICE HAVING SELECTION PICKS AND SELECTION OUTCOMES DETERMINED ON A WAGER****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 02-1818 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_)

(Date) \_\_\_\_\_

Signature \_\_\_\_\_

Typed or Printed Name of Person Signing Certificate \_\_\_\_\_

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

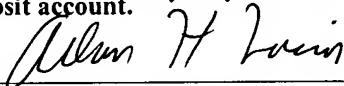
October 28, 2004

(Date) \_\_\_\_\_

Signature of Person Mailing Correspondence \_\_\_\_\_

Renee Street

Typed or Printed Name of Person Mailing Certificate \_\_\_\_\_

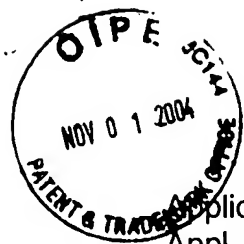
**\*This certificate may only be used if paying by deposit account.**

Signature

Dated: October 28, 2004

Adam H. Masia  
Reg. No. 35,602  
Bell, Boyd & Lloyd LLC  
P.O. Box 1135  
Chicago, IL 60690-1135  
Phone: 312-807-4284

CC:



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anthony J. Baerlocher  
Appl. No.: 10/660,809  
Conf. No.: 7061  
Filed: September 11, 2003  
Title: GAMING DEVICE HAVING SELECTION PICKS AND SELECTION  
OUTCOMES DETERMINED BASED ON A WAGER  
Art Unit: 3765  
Examiner: Unknown  
Docket No.: 0112300-1629

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 37 C.F.R. 1.97, and 37 C.F.R. 1.98, Applicants request that a citation and examination of the references cited below, and on the attached PTO-1449 form, be made during the course of examination of the above-identified application for United States patent. Pursuant to the Official Gazette Notice dated August 5, 2003, copies of the cited U.S. patents and patent applications are not included as this application was filed after June 30, 2003. However, copies of all other cited references are included with this form.

### U.S. PATENT DOCUMENTS

<u>Document No.</u>	<u>Date</u>	<u>Inventor</u>
4,624,459	November 25, 1986	Kaufman
4,669,731	June 2, 1987	Clarke
4,695,053	September 22, 1987	Vazquez, Jr. et al.
4,991,848	February 12, 1991	Greenwood et al.
5,116,055	May 26, 1992	Tracy
5,344,144	September 6, 1994	Canon
5,377,973	January, 1995	Jones et al.
5,397,125	March 14, 1995	Adams
5,511,781	April 30, 1996	Wood et al.

5,584,764	December, 1996	Inoue
5,611,535	March 18, 1997	Tiberio
5,645,485	July 8, 1997	Clapper, Jr.
5,722,891	March, 1998	Inoue
5,769,716	June 23, 1998	Saffari et al.
5,817,172	October 6, 1998	Yamada et al.
5,823,874	October 20, 1998	Adams
5,910,048	June 8, 1999	Feinberg
5,967,893	October 19, 1999	Lawrence et al.
5,993,316	November 30, 1999	Coyle et al.
6,004,207	December 21, 1999	Wilson, Jr. et al.
6,012,983	January 11, 2000	Walker et al.
6,062,980	May 16, 2000	Luciano
6,102,400	August 15, 2000	Scott et al.
6,110,041	August 20, 2000	Walker et al.
6,113,098	September 5, 2000	Adams
6,126,542	October 3, 2000	Fier
6,155,925	December 5, 2000	Giobbi et al.
6,158,741	December 12, 2000	Koelling
6,159,095	December 12, 2000	Frohm et al.
6,159,097	December 12, 2000	Gura
6,159,098	December 12, 2000	Slomiany et al.
6,168,522 B1	January 2, 2001	Walker et al.
6,168,523 B1	January 2, 2001	Piechowiak et al.
6,174,235 B1	January 16, 2001	Walker et al.
6,174,233 B1	January 16, 2001	Sunaga et al.

6,186,894 B1	February 13, 2001	Mayeroff
6,203,429 B1	March 20, 2001	Demar et al.
6,210,277 B1	April 3, 2001	Stefan
6,224,482 B1	May 1, 2001	Bennett
6,224,483 B1	May 1, 2001	Mayeroff
6,227,969 B1	May 8, 2001	Yoseloff
6,227,971 B1	May 8, 2001	Weiss
6,231,442 B1	May 15, 2001	Mayeroff
6,231,445 B1	May 15, 2001	Acres
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6,238,287 B1	May 29, 2001	Komori et al.
6,244,957 B1	June 12, 2001	Walker et al.
6,254,482 B1	July 3, 2001	Walker et al.
6,270,409 B1	August 7, 2001	Shuster
6,299,165 B1	October 9, 2001	Nagano
6,302,791 B1	October 16, 2001	Frohm et al.
6,309,299 B1	October 30, 2001	Weiss
6,312,331 B1	November 6, 2001	Tamaki
6,315,662 B1	November 13, 2001	Jorasch et al.
6,336,862 B1	January 8, 2002	Byrne
6,428,412 B1	August, 2002	Anderson et al.
6,439,995 B1	August 27, 2002	Hughs-Baird et al.
6,491,584 B1	December 10, 2002	Graham et al.
6,599,193 B2	July 29, 2003	Baerlocher et al.
6,682,073 B2	January 27, 2004	Bryant et al.
2003/0027623 A1	February 6, 2003	Rose

**FOREIGN PATENT DOCUMENTS**

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
WO 85/00910	February 25, 1985	

**OTHER DOCUMENTS**

3RV – Jackpot Party Advertisement written by WMS Gaming, Inc., published August 8, 2002.

Black Swan Wagering Advertisement and Paytable written by IGT, published prior to 2001.

Jackpot Party Advertisements and Articles written by WMS Gaming, Inc., published in March, 1998 (16 pages).

Jackpot Party Video 9-Line Advertisement written by WMS Gaming, Inc., published prior to September 11, 2003.

Jackpot Party How to Play website page  
<http://www.wmsgaming.com/products/video/vjpp/howto.html>, printed on February 7, 2001.

Jackpot Party Advertisement on website page  
<http://www.wmsgaming.com/products/slot/jpp/index.html>, printed on March 21, 2001.

Jazzy Jackpots Article written by Strictly Slots, published March 2001.

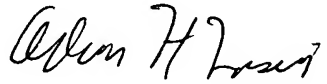
Neon Nights Advertisement written by IGT, published in 2000.

We Make Gaming Fun! Advertisement written by WMS Gaming Inc., published prior to September 11, 2003.

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY \_\_\_\_\_

Adam H. Masia

Reg. No. 35,602

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4284

Dated: October 28, 2004



<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)  PTO Form 1449	Atty Docket No. 112300-1629	Application No. 10/660,809
	Applicant Anthony J. Baerlocher	
	Filing Date September 11, 2003	Group 3765

U.S. PATENT DOCUMENTS						
Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
	4,624,459	November 25, 1986	Kaufman			
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Examiner:	Date Considered:
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



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	6,491,584 B1	December 10, 2002	Graham et al.			
	6,599,193 B2	July 29, 2003	Baerlocher et al.			
	6,682,073 B2	January 27, 2004	Bryant et al.			
	2003/0027623 A1	February 6, 2003	Rose			
	2003/0060266 A1	March 27, 2003	Baerlocher			

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FOREIGN PATENT DOCUMENTS								
Examiner's Initials		Document Number	Publication Date	Country	Class	Subclass	Translation	
							Yes	No
		WO 85/00910	February 25, 1985					

Examiner's Initials		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
		3RV – Jackpot Party Advertisement written by WMS Gaming, Inc., published August 8, 2002.
		Black Swan Wagering Description and Paytable written by IGT, published prior to 2001.
		Jackpot Party Advertisements and Articles written by WMS Gaming, Inc., published March, 1998 (16 pages).
		Jackpot Party Video 9-Line Advertisement written by WMS Gaming, Inc., published prior to September 11, 2003.
		Jackpot Party How to Play website page <a href="http://www.wmsgaming.com/products/video/vjpp/howto.html">http://www.wmsgaming.com/products/video/vjpp/howto.html</a> , printed on February 7, 2001.
		Jackpot Party Advertisement on website page <a href="http://www.wmsgaming.com/products/slot/jpp/index.html">http://www.wmsgaming.com/products/slot/jpp/index.html</a> , printed on March 21, 2001.
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